

16-399 PERRY V. MSPB

DECISION BELOW: 829 F.3d 760

LOWER COURT CASE NUMBER: 14-1155

QUESTION PRESENTED:

The Merit Systems Protection Board (MSPB) is authorized to hear challenges by certain federal employees to certain major adverse employment actions. If such a challenge involves a claim under the federal anti-discrimination laws, it is referred to as a "mixed" case. This case presents the following question:

Whether an MSPB decision disposing of a "mixed" case on jurisdictional grounds is subject to judicial review in district court or in the U.S. Court of Appeals for the Federal Circuit.

CERT. GRANTED 1/13/2017